

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 3:13-CR-138
	)	
UNDERWOOD MILES	)	

**MEMORANDUM AND ORDER**

This criminal case is before the court on the defendant's motion for a continuance of his December 3, 2013 trial date [doc. 16]. Therein, the defendant states that he and his counsel needs additional time to prepare for trial. The motion further indicates that the prosecuting attorney "has no position regarding the relief requested."

The court finds the motion well-taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant the motion would deny the defense reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the defendant's motion [doc. 16] is **GRANTED**, and this criminal case is **CONTINUED** to Tuesday, **January 28, 2014, at 9:00 a.m.** The new plea cutoff date is January 13, 2014.

ENTER:

s/ Leon Jordan  
United States District Judge